

SUPPLEMENTAL DETAILED ACTION

Status of Claims

1. Due to communications filed 11/13/09, the following is a non-final office action supplementing the final action filed 1/11/10. Claims 1, 13 and 21 are amended. Claims 1-32 are pending in this application and have been examined on the merits. The previous rejection has been modified to reflect claim amendments. Claims 1-32 are rejected as follows.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 11-19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara (US 7,343,357).

As per claim 1, Kara discloses:

a postage charge dispenser configured to generate postage indicia and account for postage charges, (col. 18, lines 26-36, each time indicia is printed, amount down counter decrements initial value by the postage amount);

a printer operable to print the postage indicia as generated by the postage charge dispenser on mail items, (Col. 20, lines 13-19, printer prints desired postage indicia);

a display, (col. 4, lines 35-37, and Fig. 15A, Display for personalizing a selected postal indicia);

a controller for driving the display to display a depiction of a postage indicium to be printed on a mail item, the depicted postage indicium including a plurality of data items modifiable by a user, which data items include at least one data item related to postage charge, and being operable to provide data representative of the data items to the postage charge dispenser, (col. 20, lines 13-28, If, at step 912, the customer decides to continue to calculate and print the postage, a new screen 140 may appear, such as seen in FIG. 14, giving the customer a selection menu for the type of **indicia** that the customer desires to create (step 914). The customer may select a different indicia for any associated document or may select a single indicia to be applied to both items. Once the customer selects a type of indicia, a new screen such as seen in FIG. 15A will appear with at least one sample indicia for the customer's selection (step 915). Alternatively, the E-STAMP program may automatically select sample indicia such as that seen in FIG. 15A that corresponds to the type of card the customer has generated based upon information contained in the CPU memory (Step 916A). The indicia may be stored in a data base within the CPU or could be downloaded via modem on a time-by-time basis. Also, Fig. 13 of Kara shows a display that displays standard postal indicia, where indicia includes \$0.32 with Hallmark information attached, which represents the

depiction of the postage indicium, and further shows in Fig. 15A that the indicium can be changed. In this case "a controller" is inherent with Kara since some type of means is necessary for controlling display output based on user input);

and cause the controller to drive the display to display a plurality of possible item entries for the selected data item; and an item entry selector operable by the user to select one of the possible item entries for the selected data item and cause the controller to drive the display to display a modified depiction of the postage indicium including the selected item entry for the data item, (Col. 20, lines 1-2, and lines 13-28, shows more than one sample indicia that a user can select, where Box 1304 represents one of the data items, and new screen 140 show a selection menu which represents the item entry selector and also shows the that the E-STAMP program may automatically select sample indicia that corresponds to the type of card the customer has generated based upon information contained in the CPU memory (Step 916A), and that the indicia may be stored in a data base within the CPU or could be downloaded via modem on a time-by-time).

Kara does not specifically disclose a data item selector operable by the user to select any one of the data items from within the depicted postage indicium, however does disclose that the user is allowed to create his or her own indicia using the Macromedia's FreeHand program in col. 6, lines 15-21, and in col. 6, lines 22-36, it shows that the user can modify an existing indicia and create personalized indicia in col. 6, lines 15-21, thereby suggesting being able to select from within the postage indicia since the postage indicia is no more than data items stored in a postage program and

simply displayed from the program on to the screen for selection by a user. Kara also shows that a user may select various parameters as shown in Col. 19, lines 5-37, where selection is shown to be possible within display of Fig 13, where the display includes postage indicium.

It therefore would be obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose a data item selector operable by the user to select any one of the data items from within the depicted postage indicium with the motivation of allowing a user to select data that is simply stored in a postage system.

As per claim 2, Kara discloses:

wherein the data item selector comprises a screen pointing device, (col. 19, lines 5-9 system interfaces with user through mouse).

As per claim 3, Kara discloses:

wherein the screen pointing device comprises one of a mouse, a tracker ball, a touch pad or a touch screen, (col. 19, lines 5-9, system interfaces with user through mouse).

As per claim 4, Kara discloses:

wherein the item entry selector comprises a screen pointing device, (col. 19, lines 5-9, mouse).

As per claim 5, Kara discloses:

wherein the screen pointing device comprises one of a mouse, a tracker ball, a touch pad or a touch screen, (col. 19, lines 5-9, mouse).

As per claims 6, 14, Kara discloses:

wherein the possible item entries for the selected data item are superimposed on the depiction of the postage indicium, (col. 16, lines 24-30, shows ability to import a new postage indicia to replace the standard indicia)

As per claims 7, 15, Kara discloses:

wherein the data items include postage value, (Fig. 13 of Kara shows a display that displays indicia that includes \$0.32).

As per claims 8, 16, Kara discloses:

wherein the data items include postage class, (Fig. 13, [1309]).

As per claims 9, 17, Kara discloses:

wherein the data items include date, (Fig. 13, [1312]).

As per claims 10, 18, Kara discloses:

wherein the data items include destination, (Fig. 13, [1305]).

As per claims 11, 19, Kara does not specifically disclose the following, however, does disclose address destinations as shown in Fig. 13, [1305] and postage zone in Fig. 13, [1308].

However, official notice is taken that it is old and well known in the postage art for destinations to be represented on a map. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for destinations to be represented on

a map with the motivation of having means to locate where the destination is in a particular postage zone in order to calculate the correct postage.

As per claim 12, 20, Kara discloses:

a weighscale for determining the weight of mail items, the weighscale being operable to provide data representative of the weight of a mail item to the controller and the controller being configured automatically to select the postage value for the mail item, (col. 20, lines 42-57, weight may be entered manually, or automatically through the use of scale 103 coupled to processor-based system 10, the document generating system,, and Fig. 13, [1310]).

As per claim 13, Kara discloses:

displaying a depiction of a postage indicium to be printed on a mail item, the depicted postage indicium including a plurality of data items modifiable by a user, which data items include at least one data item related to postage charge; selecting one of the data items from within the depicted postage indicium to be modified; displaying a plurality of possible item entries for the selected data item; selecting one of the possible item entries for the selected data item, (col. 20, lines 13-28, If, at step 912, the customer decides to continue to calculate and print the postage, a new screen 140 may appear, such as seen in FIG. 14, giving the customer a selection menu for the type of indicia that the customer desires to create (step 914). The customer may select a different indicia for any associated document or may select a single indicia to be applied to both items. Once the customer selects a type of indicia, a new screen such as seen in FIG. 15A will appear with at least one sample indicia for the customer's selection

(step 915). Alternatively, the E-STAMP program may automatically select sample indicia such as that seen in FIG. 15A that corresponds to the type of card the customer has generated based upon information contained in the CPU memory (Step 916A). The indicia may be stored in a data base within the CPU or could be downloaded via modem on a time-by-time basis. Also, Fig. 13 of Kara shows a display that displays standard postal indicia, where indicia includes \$0.32 with Hallmark information attached, which represents the depiction of the postage indicium, and further shows in Fig. 15A that the indicium can be changed. In this case "a controller" is inherent with Kara since some type of means is necessary for controlling display output based on user input);

displaying a modified depiction of the postage indicium including the selected item entry for the data item, (col. 16, lines 24-30, shows ability to import a new postage indicia to replace the standard indicia)

generating a postage indicium corresponding to the modified depiction of the postage indicium, (Fig. 13 of Kara shows a display that displays standard postal indicia, where indicia includes \$0.32 with Hallmark information attached, which represents the depiction of the postage indicium, and further shows in Fig. 15A that the indicium can be changed, col. 22, lines 13-16, shows process is repeated); and

printing the postage indicium on a mail item, (col. 16, lines 34-42, sends data pertaining to postage indicia to be printed on a label or envelope).

Kara does not specifically disclose selecting any one of the data items from within the depicted postage indicium, however does disclose that the user is allowed to

create his or her own indicia using the Macromedia's FreeHand program in col. 6, lines 15-21, and in col. 6, lines 22-36, it shows that the user can modify an existing indicia and create personalized indicia in col. 6, lines 15-21, thereby suggesting being able to select from within the postage indicia since the postage indicia is no more than data items stored in a postage program and simply displayed from the program on to the screen for selection by a user. Kara also shows that a user may select various parameters as shown in Col. 19, lines 5-37, where selection is shown to be possible within display of Fig 13, where the display includes postage indicium.

It therefore would be obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose selecting any one of the data items from within the depicted postage indicium with the motivation of allowing a user to select data that is simply stored in a postage system.

4. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Heiden (US 5,710,707), and further in view of Ryan, Jr. (US 6,081,795).

As per claims 21, Heiden discloses:

a message transmitter operable to transmit messages relating to batches of mail to a remote data center, (Col. 13, line 42-Col. 15, line 21, transmitting message to printing apparatus, where printing apparatus is at the data center as shown in Fig 1 and Fig 3, the printing apparatus and data center are connected (see 10);

a message receiver for receiving messages from the remote data center as an acknowledgment in reply to each transmitted message, (col. 15, line 64-col. 16, line 16, data carrier may input a message into the secondary accounting apparatus/then) follows acknowledgment steps);

a display for displaying a message status screen including message areas corresponding to each transmitted message; and a controller for operating the display to display the message areas with a first visual appearance on transmission of the respective messages to the remote data center and a second, different visual appearance on receipt of the respective messages from the remote data center, (Col. 13, lines 21-22, display a message of acknowledgement, w/ col. 13, line 57-59, in this case "a controller" is inherent with Heiden since some type of means is necessary for controlling display output based on message input).

Heiden does not specifically disclose a message status screen including message areas corresponding to each transmitted message, however does disclose the display of a message of acknowledgement as disclosed above.

However, Ryan, Jr. discloses a Postage metering system and method for a closed system network where printers 20 can communicate via a mechanism referred to as connection points, which can be used to implement direct communication, multi-casting (more than one client receives messages), or broadcasting (all clients receive messages) where this can be done between processes on the same meter printer or multiple meter printers on a network or on the internet as shown in col. 7, lines 63-67,

and also shows the Meter Toolkit 110 also handles messages regarding the status of Meter Toolkits 110 on the network in col. 8, lines 36-37. It therefore would be obvious to combine the teachings of Heiden and Ryan, Jr. to disclose a message status screen including message areas corresponding to each transmitted message.

It therefore would be obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose a message status screen including message areas corresponding to each transmitted message with the motivation of showing that the postage meter status can be displayed according to a specific distribution.

5. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Heiden (US 5,710,707), and further in view of Ryan, Jr. (US 6,081,795), and further in view of Kara (US 5,812,991).

As per claim 22, neither Heiden nor Ryan, Jr. disclose wherein the controller includes a time-out function for displaying message areas with a third, different visual appearance where a message is not received from the remote data center within a predetermined period of time following transmission of the message to the remote data center, but does disclose the display of at least 2 types of messages as shown above for claim 21.

However, Kara discloses a time-out/error message in col. 18, line 53-col. 19, line 6. It would have therefore been obvious to combine the teachings of Heiden, Ryan, Jr. and Kara to disclose a time-out function for displaying message areas with a third, different visual appearance where a message is not received from the remote data center within a predetermined period of time following transmission of the message to the remote data center. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose a time-out function for displaying message areas with a third, different visual appearance where a message is not received from the remote data center within a predetermined period of time following transmission of the message to the remote data center with the motivation of displaying a message that the system is not functioning.

6. Claims 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Heiden (US 5,710,707), and further in view of Kara (US 5,812,991).

As per claim 28, Heiden fails to disclose wherein the controller includes a time-out function for displaying message areas with a third, different visual appearance where a message is not received from the remote data center within a predetermined period of time following transmission of the message to the remote data center, but does disclose the display of at least 2 types of messages as shown above for claim 21.

However, Kara discloses a time-out/error message in col. 18, line 53-col. 19, line 6. It would have therefore been obvious to combine the teachings of Heiden, Ryan, Jr. and Kara to disclose a time-out function for displaying message areas with a third, different visual appearance where a message is not received from the remote data center within a predetermined period of time following transmission of the message to the remote data center. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose a time-out function for displaying message areas with a third, different visual appearance where a message is not received from the remote data center within a predetermined period of time following transmission of the message to the remote data center with the motivation of displaying a message that the system is not functioning.

7. Claims 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heiden (US 5,710,707), and further in view of Ryan, Jr. (US 6,081,795), and further in view of Mozdzer et al (US 2001/0010524 A1).

As per claims 23-26 neither Heiden nor Ryan, Jr. specifically disclose wherein the different visual appearances are represented by different colours/wherein the different visual appearances are represented by different shades/wherein the different visual appearances are represented by different patterns/wherein the different visual appearances are represented by different characters, however does disclose displaying messages as shown above for claim 21.

However, Mozdzer et al discloses different characters can be indicated for display in [0027]. It therefore would have been obvious to combine the teachings of Heiden, Ryan, Jr., and Mozdzer et al to disclose wherein the different visual appearances are represented by different colours/wherein the different visual appearances are represented by different shades/wherein the different visual appearances are represented by different patterns/wherein the different visual appearances are represented by different characters.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention different visual appearances are represented by different colours/wherein the different visual appearances are represented by different shades/wherein the different visual appearances are represented by different patterns/wherein the different visual appearances are represented by different characters with the motivation of displaying different appearances.

8. Claims 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heiden (US 5,710,707), and further in view of Mozdzer et al (US 2001/0010524 A1).

As per claims 29-32, Heiden fails to disclose wherein the different visual appearances are represented by different colours/wherein the different visual appearances are represented by different shades/wherein the different visual appearances are represented by different patterns/wherein the different visual

appearances are represented by different characters, however does disclose displaying messages as shown above for claim 21.

However, Mozdzer et al discloses different characters can be indicated for display in [0027]. It therefore would have been obvious to combine the teachings of Heiden, Ryan, Jr., and Mozdzer et al to disclose wherein the different visual appearances are represented by different colours/wherein the different visual appearances are represented by different shades/wherein the different visual appearances are represented by different patterns/wherein the different visual appearances are represented by different characters.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention different visual appearances are represented by different colours/wherein the different visual appearances are represented by different shades/wherein the different visual appearances are represented by different patterns/wherein the different visual appearances are represented by different characters with the motivation of displaying different appearances.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claim 27 is rejected under 35 U.S.C. 102(b) as being anticipated by Heiden (US 5,710,707).

As per claims 27, Heiden discloses:

transmitting messages relating to batches of mail to a remote data center;
receiving messages from the remote data center as an acknowledgment in reply to the transmitted messages, (Col. 13, line 42-Col. 15, line 21, transmitting message to printing apparatus, where the printing apparatus is receiving these messages, and where printing apparatus is at the data center as shown in Fig 1 and Fig 3, the printing apparatus and data center are connected (see 10));

displaying message areas on a display corresponding to each transmitted message, the message areas being displayed with a first visual appearance on transmission of the respective messages to the remote data center and a second, different visual appearance on receipt of the respective messages from the remote data center., (Col. 13, lines 21-22, display a message of acknowledgement, w/ col. 13, line 57-59).

Response to Arguments

11. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

•Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3628

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.

June 17, 2010

/Akiba K Robinson-Boyce/

Primary Examiner, Art Unit 3628